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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,350	02/25/2000	Frank Leymann	GE999-002	7891

7590

02/26/2003

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EXAMINER

JEANTY, ROMAIN

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/513,350

Applicant(s)

LEYMANN ET AL.

Examiner

Romain Jeanty

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-16 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 3623

**Detailed Action**

**Response to Amendment**

1. This communication is responsive to applicant's amendment filed November 12, 2002. Claims 9-11 have been amended. Respectively, claims 1-16 are pending in the application.

**Response to Arguments**

2. Applicants' arguments with respect to claim 1-15 have been considered but are moot in view of the new ground(s) of rejection.

***Specification***

3. The abstract of the invention was objected to in the prior Office Action of paper 2 because it contains the word "disclosure". Applicant is requested to amend the abstract to fix this deficiency.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo (U.S. Patent No. 5,974,392) in view of Du et al (U.S. Patent No. 6041306).

As per claims 1-2, 14-15 and 16, Endo discloses a workflow management system comprising:

Art Unit: 3623

determine of one or more activities and executing said one or more of said activity with an execution priority specified according to said priority execution indicator (i.e. executing the task according to a priority indicator "priority level") (col. 12, line 45 through col. 13 line 5).

Endo does not explicitly disclose analyzing a process model and launching execution of an activity. Du et al, on the other hand, discloses a workflow management system having a node, graph, and a processor for analyzing (evaluating) workflow process and launching execution of an activity (task) (col. 3, lines 4-8 and col. 7, lines 36-54). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Endo by including the teachings of Du et al. One having ordinary skill in the art would have been motivated to do so in order to efficiently perform process execution.

As per claim 2, Endo further discloses setting a task priority for the task to be executed (col. 10, line 60 through col. 11, line 7).

As per claim 3, Endo further discloses setting the priority of one or more messages relating to the processing of said activity are set to the execution priority specified according to said priority execution indicator (i.e. setting the task priority in a queue table for the task execution) (col. 11, lines 52-60).

As per claim 12, Endo further discloses execution of said activity directly by calling said activity with said execution priority (i.e. judging the task priority number and extracting the task for execution) (col. 12, lines 49-61).

As per claim 13, Endo further discloses transmitting message "instruction" for the task to be executed. Note column 12, lines 56-65.

**Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatented over Endo (US Patent No. 5,974,392) as applied to claim 1 above in view of Dong et al (U.S. Patent No. 6,424,948).

As per claims 4 and 5, Endo discloses assigning an activity indicator to an activity "task" (see claim 1 above), but Endo fails to explicitly disclose a priority execution specification for the activity (task). Dong discloses a workflow comprising a priority execution specification (col. 27, lines 27-45). It would have been obvious to a person of ordinary skill in the art to have modified the workflow system of Endo to include a priority execution specification as taught by Dong. The motivation being so that the behavior of a workflow system can be more easily analyzed and understood.

8. Claims 9, 10 and 11 are rejected 35 U.S.C. 103(a) as being unpatentable over Endo (U.S. Patent No. 5,974,395) as applied to claims 1, 2 and 3 above in view of Kraft, IV et al (U.S. Patent No. 5,867,160).

As to claims 9, 10 and 11, Endo fails to disclose mapping said priority execution indicator to a value. Kraft, Iv et al, on the other hand, discloses a system that assigns priority to tasks and maps a priority execution indicator of the tasks using a mapping function (see abstract

Art Unit: 3623

and col. 7, lines 49 through col. 9, lines 7-47). Thus, it would have been obvious to a person of ordinary skill in the art to have modified the work flow system of Endo by including a mapping priority indicator function as taught by Kraft, Iv et al. Doing so, would efficiently handle multiple tasks graphically in multitasking environments.

Applicant has amended the claims to recite "*activity requires a specific execution-environment and where, one or more messages are communicated along a communication-system and wherein said*". Kraft teaches the use of a multi-task executing environment and employing messaging signaling. Note abstract; col. 2, lines 53-62 and col. 3, lines 55-54 of Kraft.

#### **Remarks**

9. Applicants argued on page 8 Dong in combined does not applicant's claimed invention. Applicants further supported their assertion by arguing that the Doug teachings teachings do not, however, teach that the task characteristic are activity priority values nor do they obviate the additional level of priority specification. Applicants further argued that the present invention teaches multiple priority values.

In response to Applicants' arguments, the examiner notes claims 4 and 5 make no mention of any priority values being existed for any activities. Therefore, applicants' arguments are non-persuasive.

#### **Claim Objection**

10. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Allowable Subject Matter**

The following is an examiner's statement of reasons for allowance:

Prior art of record taken or in combination fails to teach when there is no priority execution specifications of said activity, analyzing for a priority execution specification of a performance sphere comprising said activity, said performance sphere comprising a sub-graph of said process model associating a process executing indicator to activities within said performance

Any inquiry concerning this communication or earlier communications from the examiner should be directed Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached Monday-Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner are not successful, the examiner's supervisor, Tariq R Hafiz can be reached at (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to Commissioner of Patents and Trademarks, Washington, D.C 20231  
or faxed to: (703) 305-7687

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington VA, and seventh floor receptionist.

February 22, 2003

  
Art Unit 3623